

Information received will be used in preparation of the draft EIS and final EIS. For the most effective use, comments should be submitted to the Forest Service within 30 days from the date of publication of this Notice in the **Federal Register**.

The Responsible Official is Robert W. Ross, Jr., Director of Recreation and Lands, Intermountain Region, Ogden, Utah. The decision to be made is whether to exchange National Forest System lands for private lands that would be of equal appraised value and of benefit to the public. The draft EIS is expected to be available for public review in February 1998, with a final EIS estimated to be completed in May 1998. The comment period on the draft EIS will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EIS's must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986), and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapter of the draft EIS. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the draft EIS. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments will not have standing to appeal the subsequent decision under 36 CFR 215 or 217. Additionally, pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that, under the FOIA, confidentiality may be granted in only limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address within 10 days.

Dated: October 3, 1997.

**Jack A. Blackwell**,

*Deputy Regional Forester, Intermountain Region, USDA Forest Service.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Big Bend Road Access, Wenatchee National Forest, Kittitas County, Washington**

**AGENCY:** Forest Service, USDA.

**ACTION:** Cancellation of an environmental impact statement.

**SUMMARY:** On May 19, 1994, a Notice of Intent (NOI) to prepare an environmental impact statement (EIS) for the Big Bend Road Access on the Cle Elum Ranger District of the Wenatchee National Forest was published in the **Federal Register** (59 FR 26205). Forest Service has combined this access with another environmental analysis process. There will be no EIS for this specific road access project. The NOI is hereby rescinded.

**FOR FURTHER INFORMATION CONTACT:** Direct questions regarding this cancellation to Susan Carter, Environmental Coordinator, Wenatchee National Forest, 215 Melody Lane, Wenatchee, Washington 98801 or telephone 509-662-4335.

Dated: October 3, 1997.

**Sonny J. O'Neal**,

*Forest Supervisor.*

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### **Plum Creek Checkerboard Access Project, Wenatchee National Forest, Kittitas County, Washington**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of intent to prepare an environmental impact statement.

**SUMMARY:** The USDA, Forest Service, will prepare an environmental impact statement (EIS) to analyze and disclose the environmental impacts of a site-specific proposal to issue easements and authorize construction of roads across National Forest System (NFS) lands located in the Yakima River Basin. The action is proposed in response to an application from Plum Creek Timber Company (PCTC) who seeks legal access to approximately 45 parcels of PCTC land within the Wenatchee National Forest boundary, on the Cle Elum and Naches Ranger Districts. The proposed access locations range from approximately 5 to 20 miles south and southeast, and 5 to 25 miles north and northeast of the town of Cle Elum, Washington, and both north and south of Interstate 90, east of Snoqualmie Pass.

The purpose of the EIS will be to develop and evaluate a range of alternatives including a No Action Alternative, to respond to issues identified during the scoping process. The proposed project will be in compliance with direction in the Wenatchee National Forest Land and Resource Management Plan (March 1990) as amended by the Northwest Forest Plan (April 1994), which provides the overall guidance for management of the area. The non-Federal lands involved are covered by PCTC's Cascade Habitat Conservation Plan (1996).

The agency invites written comments on the scope of this project. In addition, the agency gives notice of this analysis so that interested and affected people are aware of how they may participate and contribute to the final decision.

**DATES:** Comments concerning the scope of this proposal must be received by November 5, 1997.

**ADDRESSES:** Submit written comments and suggestions to Sonny J. O'Neal, Forest Supervisor, Wenatchee National